

**ZONING COMMITTEE  
AGENDA  
WEDNESDAY, JUNE 11, 2008**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, June 11, 2008** in Council Chambers, at 11:45 a.m.

The following members were present:

**The Honorable Ivory Lee Young, Jr., Chair  
The Honorable Natalyn Archibong, Vice Chair  
The Honorable Carla Smith  
The Honorable Howard Shook  
The Honorable Anne Fauver  
The Honorable Joyce Sheperd  
The Honorable C. T. Martin**

Others present at the meeting were: Charletta Wilson-Jacks, Zoning Administrator, Department of Planning and Community Development; City Attorneys Lem Ward, and Jeffery Heymore, Law Department; Chief of Staff Greg Pridgeon; and members of the Public and Council staff.

- A.    ADOPTION OF AGENDA - ADOPTED AS AMENDED BY ADDING TWO  
PIECES OF LEGISLATION**
- B.    APPROVAL OF MINUTES - APPROVED**
- C.    COMMUNICATION**

08-C-1154 ( 1)    A Communication by Councilmembers Felicia A. Moore, District 9; C. T. Martin, District 10; Jim Maddox, District 11; Joyce Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large re-appointing **Ms. Naomi Ward** to serve as a member of the Board of Zoning Adjustment. This re-appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

**FORWARDED WITH NO RECOMMENDATION TO  
COMMITTEE ON COUNCIL**

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**PUBLIC HEARING ITEM**

**D. ORDINANCES FOR SECOND READING**

08-O-1134 ( 1)      An Ordinance by Zoning Committee to grant a Certificate  
**MRPA-08-01**      Under the Provisions of the Metropolitan River Protection Act  
for the Construction of a Single-Family Home, located at  
**1501 Whitewater Creek Road, NW** 3.168 acres in Land  
Lots 201 & 214, 17<sup>th</sup> District, Fulton County, Georgia  
Owner:                      Gene W. Milner, Jr.  
Applicant:                  Sprinkle Design Conservancy, Inc. (**A**  
**Public Hearing was held on 6/11/08)**  
**NPU-A**                                      **Council District 8**

**FAVORABLE**

08-O-1135 ( 2)      An Ordinance by Zoning Committee authorizing the Mayor or  
**Z-08-06**              her designee to correct Ordinance No. 08-O-0309 by  
including the correct name of the owner and the applicant  
for the rezoning which is the subject of the ordinance; and  
for other purposes.

**FAVORABLE**

**E. PAPERS HELD IN COMMITTEE**

06-O-0273 ( 1)      An Ordinance by Councilmembers Carla Smith, Ivory Lee  
Young, Jr. and Cleta Winslow correcting Ordinance Number  
04-O-0179/Z-04-24 which amended Section 16-29.001(16)  
"Human Services" including Personal Care Homes,  
Rehabilitation Centers and Nursing Homes by clarifying  
and/or redefining certain terms; and for other purposes.  
**(Held 2/1/06 for further review)**

**HELD**

06-O-0007 ( 2)      An Ordinance by Councilmember Carla Smith  
**Z-05-65**              **as amended by Zoning Committee** to rezone the portion of  
the property located at **1821 W. Anderson Avenue** that is  
zoned R-4 (Single Family Residential) to the O-I (Office  
Institutional) Classification, to issue a Special Use Permit for  
the subject property; and for other purposes. (**Held**  
**6/28/06 at the request of Councilmember of the**  
**District)**

**HELD**

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**E. PAPERS HELD IN COMMITTEE (CONT'D)**

06-O-0022 ( 3) An Ordinance by Councilmember Carla Smith  
**U-05-22** to issue a Special Use Permit for a Nursing Home at **1821 W. Anderson Avenue (a.k.a. 31 Anderson Avenue)**; to waive the 2,000 foot distance requirement for this location; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

**HELD**

06-O-0955 ( 4)  
**Z-06-44**

A **Substitute** Ordinance by Zoning Committee to rezone from the I-1-C (Light Industrial-Conditional) District to the MR5-A (Multi-Family Residential) District, property located at **1155 Hill Street, SE**, fronting approximately 350 feet on the west side of Hill Street and approximately 272 feet on the north side of Englewood Avenue. **(Held 11/1/06 at the request of District Council Person)**

Depth: Varies  
Area: Approximately 8.719 Acres  
Land Lot: 55, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Jack and Harvey Taffel  
Applicant: Chaz E. Waters/Skyline Partners, LLC.  
**NPU-Y Council District 1**

**HELD**

06-O-1927 ( 5) An Ordinance by Councilmembers Howard Shook, H. Lamar Willis, Jim Maddox and Ceasar C. Mitchell **as substituted by Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, As Amended, so as to create a New Chapter to be entitled, 8B, Fulton County Townhouse Residential; to establish design guidelines for said District; to enact, by reference and incorporation, a Map establishing the boundaries of said District for the Cascade Glenn; to amend the City of Atlanta Zoning Maps; to modify the zoning process for annexations; and for other purposes. **(Forwarded with no recommendation by Zoning Committee 9/13/06) (Referred back by Council 12/04/06) (Held 12/13/06 for further review)**

**HELD**

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**E. PAPERS HELD IN COMMITTEE (CONT'D)**

07-O-0396 ( 6)  
**CDP-07-09** An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2004-2019 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **349 14<sup>th</sup> Street**, from the "Low Density Commercial" Land Use Designation; to the "Mixed-Use" Land Use Designation; and for other purposes. **(1<sup>st</sup> Quarter CDP Public Hearing held 3/12/07) (Held 3/13/07 awaiting companion Zoning legislation) (Favorable by CD/HR Committee 3/27/07) (Held 3/28/07 at the request of the applicant)**  
**NPU-E** **Council District 2**

**HELD**

07-O-0148 ( 7) An **Amended** Ordinance by Zoning Committee to rezone **Z-06-138** from the C-2 (Commercial Service) District to the MRC-3 (Mixed Residential-Commercial) District, property located at **349 Fourteenth Street, NW**, fronting approximately 134 feet on the south side of 14<sup>th</sup> Street, at the southwest corner. **(Held 3/28/07 at the request of the applicant)**  
Depth: Approximately 152 Feet  
Area: Approximately 0.47 Acre  
Land Lot: 149, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Julian W. Rikard  
Applicant: Michael Gamble  
**NPU-E** **Council District 2**

**HELD**

06-O-1445 ( 8)  
**Z-06-74** An Ordinance by Zoning Committee to rezone from the R-G-3 (Residential General-Sector 3) District to the PD-MU (Planned Development-Mixed Use) District, property located at **3700 Martin Luther King, Jr. Drive, SW**, fronting approximately 474.25 feet on the south side of Martin Luther King, Jr. Drive beginning approximately 183 feet from the southwest corner of Adamsville Drive. **(Held 5/2/07 at the request of Councilmember of the District)**  
Depth: Varies  
Area: Approximately 27 Acres

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**E. PAPERS HELD IN COMMITTEE (CONT'D)**

Land Lot: 15, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Atlanta Neighborhood Development Partnership  
Applicant: Marvin Greer  
**NPU-H** **Council District 10**

**HELD**

06-O-2308 ( 9)  
**Z-06-113** An Ordinance by Zoning Committee to rezone from the SPI-6 (Poncey Highland Special Public Interest) District to the C-1 (Community Business) District, property located at **863 Ponce de Leon (rear), NE**, fronting approximately 63 feet on the east side of Barnett Street, beginning 150 feet from the westerly corner of Barnett Street and Ponce de Leon Avenue. **(Filed by ZRB and Zoning Committee 5/20.07) (Referred by back by Full Council 6/4/07) (Held 6/13/07)**

Depth: Approximately 74 Feet  
Area: Approximately 0.861 Acre  
Land Lot: 17, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Robert T. Budd  
Applicant: Kevin A. Ross  
**NPU-N** **Council District 2**

**HELD**

07-O-1910 (10)  
**Z-07-99** An Ordinance by Councilmember Carla Smith to rezone the properties located at **760 Confederate Avenue, also known as 766 Confederate Avenue and 750 Confederate Avenue** from the R-5 (Two Family Residential District) District to the C-1-C (Community Business District Conditional); to modify the Official Zoning Maps; and for other purposes. **(Held 11/28/07)**

**HELD**

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**E. PAPERS HELD IN COMMITTEE (CONT'D)**

06-O-1888 (11)  
**CDP-06-65**

An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta's 2004-2019 Comprehensive Development Plan (CDP) so  
as to re-designate property located at **3700 Martin Luther King, Jr. Drive, SW**, from the "Medium Density Residential" Land Use Designation to the "Mixed-Use" Land Use Designation; and for other purposes. (**Public Hearing held 9/11/06**) (**Filed by CD/HR Committee 11/27/07**)  
**NPU-H** **Council District 1**

# HELD

07-O-2300 (12)  
**CDP-07-42**

An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2004-2019 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **760 Confederate Avenue**, from the “Low Density Residential” Land Use Designation to the “Low Density Commercial” Land Use Designation; and for other purposes. **(Held 11/13/07)**  
**(CDP Amendment Public Hearing held 11/26/07) (Favorable by CD/HR Committee 11/27/07)**  
**NPU-W** **Council District 1**

**HELD**

07-O-2594 (13) An Ordinance by Councilmember Kwanza Hall requesting that Chapter 28A.010 of the Code Ordinances, the Sign Ordinance, Subsection (12) Special Public Interest District 1 (Central Core) District of the City of Atlanta Zoning Ordinance be waived to allow for the construction of two (2) Signs at 100 Auburn Avenue, NE; and for other purposes. **(Held 12/12/07)**

**HELD**

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**E. PAPERS HELD IN COMMITTEE (CONT'D)**

06-O-0038 (14)    An Ordinance by Councilmembers Carla Smith and Ivory Lee  
**Z-05-56**            Young, Jr. to amend Various Sections of the Zoning Code of  
the City of Atlanta, for the purpose of clarifying and/or  
defining certain terms related to Supportive Housing; to  
provide how applications for such uses are to be processed;  
defining the term Community Center and removing certain  
redundant terms related to such use; redefining the  
conditions under which dormitories, Sorority Houses and  
Fraternity Houses are permitted; deleting rooming houses  
and boarding houses as permitted uses in certain districts;  
and for other purposes. **(Favorable by Zoning Committee  
10/31/07) (Referred back by Council 11/5/07) (Public  
Hearing held 12/12/07) (Held 12/12/07)**

**FAVORABLE**

06-O-2697 (15)    An Ordinance by Councilmember Carla Smith to amend  
**Z-06-144**            Chapter 28 of Part 16 of the Atlanta City Land Development  
Code to provide for density increases in exchange for  
affordable workforce housing; to define certain terms; to  
provide limitations and requirements; and for other  
purposes. **(Held 1/30/08)**

**HELD**

07-O-1620 (16)    An Ordinance by Zoning Committee to rezone certain  
**Z-07-92**            properties within the BeltLine Overlay District from R4-A  
(Single Family Residential) and RG-3 (Residential General-  
Sector 3) Districts to MR-4A (Multifamily Residential)  
District; and for other purposes. **(Held 2/13/08)**

**HELD**

07-O-1917 (17)    An **Amended** Ordinance by Zoning Committee to rezone  
**Z-07-89**            property from the RG-4 (Residential General-Sector 4) to the  
C-1 (Community Business) Districts, property located at  
**624-628 Parkway Drive, NE**, fronting approximately 100  
feet on the west side of Parkway Drive and approximately  
700 feet north of the intersection of North Avenue and  
Parkway Drive. **(Held 2/27/08 for CDP Amendment)**  
Depth:                      Varies

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**E. PAPERS HELD IN COMMITTEE (CONT'D)**

Area: 0.448 Acre  
Land Lot: 48, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Renee C. McPhee and Kendrick Armistead  
Applicant: Kendrick P. Armistead  
**NPU-M Council District 2**

**FAVORABLE AS AMENDED**

08-O-0306 (18) An Ordinance by Zoning Committee to rezone from the R-4  
**Z-08-02** (Single-Family Residential), RG-1 (Residential General-Sector  
1) and C-1 (Community Business) Districts to the I-1 (Light  
Industrial) District, for various properties bounded by Simon  
Street on the north, Ruby Harper Boulevard (a.k.a. Gilbert  
Road) on the east, Southside Industrial Parkway (a.k.a. Poole  
Creek Road) on the south. Property fronts approximately  
751 feet on the east side of Ruby Harper Boulevard at the  
northeast corner of Ruby Harper Boulevard and Southside  
Industrial Parkway. **(Held 4/2/08)**  
Depth: Varies  
Area: Approximately 22.85 Acres  
Land Lot: 33, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: The Housing Authority of the City of  
Atlanta/City of Atlanta Department of  
Aviation/Annie McClendon  
Applicant: Atlanta Economic Renaissance  
Corporation/AMB Property Corporation  
**NPU-Z Council District 12**

**HELD**

08-O-0307 (19) An **Amended** Ordinance by Zoning Committee to rezone  
**Z-08-04** from the C-2 (Community Service) District to the MR-4A  
(Multi-Family Residential) District, property located at **1527  
Northside Drive, NW**, fronting approximately 180 feet on the  
east side of Northside Drive at the northeast corner of  
Deering Road.  
Depth: Approximately 436 Feet  
Area: Approximately 3445 Acres  
Land Lot: 147, 17<sup>th</sup> District, Fulton County, Georgia



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**E. PAPERS HELD IN COMMITTEE (CONT'D)**

Owner: Mustard Seed Land Fund, LLC/Westwood  
Property Development Corporation/Vinings I,  
LLC  
Applicant: Cortland Partners, LLC  
**NPU-D Council District 8**

**FAVORABLE AS AMENDED**

**F. ITEMS NOT ON THE AGENDA**

07-O-2296 ( 1) A **Substitute** Ordinance by Community Development/  
**CDP-07-37** Human Resources Committee to amend the Land Use  
Element of the City of Atlanta 2004-2019 Comprehensive  
Development Plan (CDP) so as to re-designate property that  
is located at **624, 628 Parkway Drive, NE**, from the "High  
Density Residential" Land Use Designation to the "Low  
Density Commercial" Land Use Designation; and for other  
purposes. **(CDP Amendment Public Hearings held on  
11/26/07 and 6/9/08) (Substituted and held 5/27/08)  
(Favorable on substitute by CD/HR Committee 6/10/08)**  
**NPU-M Council District 2**

**FAVORABLE ON SUBSTITUTE**

08-O-0321 ( 2) A **Substitute** Ordinance by Community  
**CDP-08-08** Development/Human Resources Committee to amend the  
Land Use Element of the City of Atlanta 2004-2019  
Comprehensive Development Plan (CDP) so as to re-  
designate property that is located at **0 Deering Road, NW  
and 0 Northside Circle, NW and 1527 Northside Drive**,  
from the "Mixed Use and Open Space" Land Use  
Designations to the "Mixed Use" Land Use Designation; and  
for other purposes. **(CDP Public Hearing held on 3/10/08  
and 6/9/08) (Favorable on substitute by CD/HR  
Committee 6/10/08)**  
**NPU-E Council District 8**

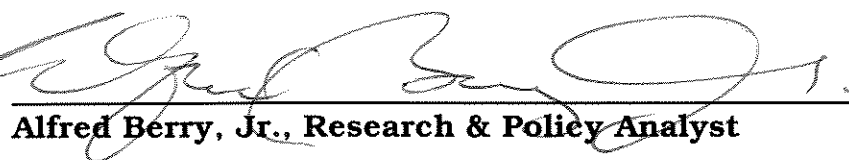
**FAVORABLE ON SUBSTITUTE**

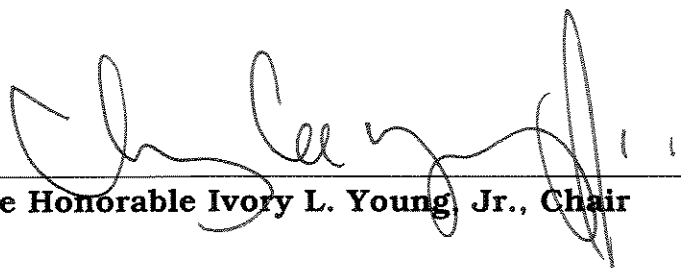
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**There being no further business to come before the Zoning Committee the meeting was adjourned at 12:35 p.m.**

**Respectfully submitted:**

  
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**Angela H. Campbell, Legislative Secretary**

  
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**Alfred Berry, Jr., Research & Policy Analyst**

  
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**The Honorable Ivory L. Young, Jr., Chair**